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OFFICE OF PETITIONS

In re Application of :
Cody L. Lambert :
Application No. 09/922,529 : **ON PETITION**
Filed: December 11, 2001 :
Title: Telescopic Universal Bed Rack :

This is a decision on the petition for revival under 37 CFR 1.137(b), filed march 28, 2006.

The petition is **GRANTED**.

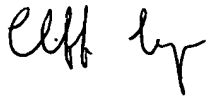
The above-identified application became abandoned for failure to timely file a response to the Office action mailed August 20, 2003, which set a shortened statutory period for reply of one (1) month. No reply having been received, the application became abandoned on September 21, 2003. A Notice of Abandonment was mailed on April 6, 2004. On April 26, 2004 (dated April 18, 2004), Applicant filed a petition to withdraw the holding of abandonment, asserting that he timely filed a response via Express Mail mailing label number ER150654105US on September 18, 2003. However, in a decision mailed on May 12, 2004, the petition was dismissed because applicant did not include a copy of the correspondence alleged to have been filed on September 18, 2003, bearing a copy of Express Mail mailing label number ER150654105US. Applicant filed a renewed petition on June 3, 2004 (dated May 28, 2004), including the papers purported to have been filed on September 18, 2003. However, the papers did not include a copy of the Express Mail mailing label number affixed thereon. Accordingly, the renewed petition was dismissed in a decision mailed on June 28, 2004. Applicant filed a renewed petition once again on August 11, 2005, this time supplying a copy of his response bearing the Express Mail mailing label.

However, because the response did not appear to be a true copy, the petition was dismissed in a decision mailed on January 11, 2006.

With the instant petition, petitioner has paid the petition fee and made the proper statement of unintentional delay. The required reply was previously filed on June 3, 2004.

The matter is being forwarded to Group Art Unit 3727 for consideration of the response filed June 3, 2004.

Telephone inquiries concerning this decision should be directed to the undersigned at (571)272-3207.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo
Petitions Attorney
Office of Petitions